

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

Claims 1 and 8 are currently being cancelled.

Claims 2-4, 6-7, 9-11 and 13-14 are currently being amended.

Claims 15 and 16 are currently being added.

This amendment cancels, adds and amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After canceling, adding and amending the claims as set forth above, claims 2-7 and 9-16 are now pending in this application.

Objection to Drawings:

In the Office Action, the drawings were objected to because “Provider Network” has a label “02” in Figure 1, but is referred to with a label “101” in the specification. By way of this amendment and reply, Figure 1 has been amended to change the label for “Provider Network” from “02” to “101”.

Objection to Abstract and Disclosure (Specification):

In the Office Action, the Abstract was objected to because it was too long and because it used legal phraseology. By way of this amendment and reply, a replacement Abstract is being submitted. Also, in the Office Action, the disclosure was objected to because of minor informalities noted on pages 2 and 3 of the Office Action. By way of this amendment and reply, these informalities have been corrected in accordance with the helpful suggestions made in the Office Action.

Claim Rejections – Prior Art:

In the Office Action, claims 1-3, 6-10 and 13-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,725,384 to Ito et al.; and claims 4-5 and 11-

12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ito et al. in view of U.S. Patent No. 5,802,420 to Garr et al. These rejections are traversed with respect to the presently pending claims under rejection, for at least the reasons given below.

First, please note that presently pending claim 4 has been written in independent form to include the features of its base claim 1 as well as other features (object information element corresponds an advertisement with a questionnaire), and presently pending claim 11 has been written in independent form to include the features of its base claim 8 as well as other features (object information element corresponds an advertisement with a questionnaire). Neither Ito et al. nor Garr et al. teaches or suggests the features recited in claims 4 and 11.

In particular, claims 4 and 11 recite medium consumption amount monitoring means for monitoring a consumption amount consumed at the time of printing/outputting an advertisement with a questionnaire. For example, when the number of an advertisement with a questionnaire is 3, a consumption amount is consumed by the printing/outputting of 3 sheets.

In its rejection of claims 4 and 11, the Office Action turns to Garr et al. for allegedly disclosing the features recited in those claims. However, Garr et al. merely discloses a prediction of the exchanging timing of toner cartridge. For a prediction, it is necessary to monitor a real consumption amount. In particular, real consumption amounts of all prints/outputs from the previous toner exchange are monitored.

That is, in a situation where the real consumption amount to be monitored is different, even if Ito et. al. and Garr et al. are combined, a person skilled in the art could not have easily arrived at the idea that the real consumption amount is monitored by the prints/outputs of an advertisement with a questionnaire (excluding prints/outputs for other purposes).

Accordingly, presently pending claims 4 and 11 are patentable over the combination of Ito et al. and Garr et al.

The presently pending dependent claims are patentable due to their dependence on either claim 4 or claim 11, as well as for the specific features recited in those dependent claims. For example, claims 5 and 12 describe a process for recovering the real consumption amount, which is a feature that is not disclosed or suggested by either Ito et al. or by Garr et al.

New Claims:

New claims 15 and 16 have been added to recite additional features of the present invention that are believed to provide a separate basis for patentability of those claims.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application. The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date November 10, 2005

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Amendments to the Drawings:

Applicant proposes to amend Figure 1 in order to change the label for the Provide Network from “02” to “101”, so as to conform to the description of that element in the specification. A replacement formal drawing sheet and a marked-up drawing sheet for Figure 1 are being submitted with this Amendment and Reply.



FIG. 1

